

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Michael D Vinsick
Debtor(s)

Bankruptcy Case No.: 19-24330-JAD
Issued Per 1/6/2020 Proceeding
Chapter: 13
Docket No.: 30 - 18
Concil. Conf.: May 21, 2020 at 02:00 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated 12/3/2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. *A final plan conciliation conference will be held on May 21, 2020 at 02:00 PM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.* If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- H. Additional Terms: Fee application needed if any fee (including retainer) exceeds \$4,000 including any fees paid to prior counsel.

Greene County Tax Claim Bureau to be paid per plan at statutory rate.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

- A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.
- B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).
- C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.
- D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.
- E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.
- F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any *secured claim* that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: January 14, 2020

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
United States Bankruptcy Court
Western District of Pennsylvania

In re:
Michael D Vinsick
Debtor

Case No. 19-24330-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: skoz
Form ID: 149Page 1 of 2
Total Noticed: 37

Date Rcvd: Jan 14, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 16, 2020.

db +Michael D Vinsick, 228 Nemacolin Road, Carmichaels, PA 15320-1124
cr +Dollar Bank, FSB, 300 West Tuscarawas Street, Canton, OH 44702-1911
cr +Office of Attorney General, Department of Revenue, Lauren A. Michaels,
1251 Waterfront Place, Mezzanine Level, Pittsburgh, PA 15222-4227
15172702 American Express National Bank, c/o Becket and Lee LLP, PO Box 3001,
Malvern PA 19355-0701
15152101 +Amex, Correspondence/Bankruptcy, Po Box 981540, El Paso, TX 79998-1540
15152104 +Department Store National Bank/Macy's, Attn: Bankruptcy, 9111 Duke Boulevard,
Mason, OH 45040-8999
15152105 +Dollar Bank, 3 Gateway Center, Pittsburgh, PA 15222
15172114 +Dollar Bank, FSB, 300 W. Tuscarawas Street, Canton, OH 44702-1911
15172115 +Dollar Bank, FSB, c/o David W. Raphael, Esquire, Grenen & Birsic, PC,
One Gateway Center, 9th Floor, Pittsburgh, PA 15222
15152106 +First National Bank, Attn: Bankruptcy, 4140 East State Street, Hermitage, PA 16148-3401
15180449 +First National Bank of Pennsylvania, 4140 E. State Street, Hermitage, PA 16148-3401
15152108 +Home Savings, Attention: Legal Department, 275 West Federal Street,
Youngstown, OH 44503-1200
15183588 +Kelly A. Stepp, Esquire, 64 N. Richhill St., Ste 101, Waynesburg, PA 15370-1306
15152109 +LendingClub, Attn: Bankruptcy, 595 Market St, Ste 200, San Francisco, CA 94105-2807
15166564 +ML Factors Funding LLC, 456A Central Avenue, Cedarhurst, NY 11516-1927
15152110 +Mr. Cooper, Attn: Bankruptcy, 8950 Cypress Waters Blvd, Coppell, TX 75019-4620
15166565 PA SCDU, PO Box 69111, Harrisburg, PA 17106-9111
15181135 +PNC Bank NA, Bankruptcy Department, PO BOX 94982, Cleveland, OH 44101-4982
15166566 Pennsylvania Department of Revenue, Bureau of Individual Taxes, PO Box 280431,
Harrisburg, PA 17128-0431
15152112 +Rebecca Vinsick, 228 Nemacolin Road, Carmichaels, PA 15320-1124
15152113 +S & T Bank, 800 Philadelphia, Indiana, PA 15701-3908
15152114 #+Seterus, Inc., Attn: Bankruptcy, Po Box 1077, Hartford, CT 06143-1077
15152115 +Stepp Law Offices, Kelly A. Stepp, Esq., 64 N. Rich Hill Street, Suite 101,
Waynesburg, PA 15370-1306
15166572 +Treasurer's Office Greene County, 93 East High Street, Waynesburg, PA 15370-1839

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jan 15 2020 03:06:12
PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15152102 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jan 15 2020 03:04:42 Capital One,
Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15169004 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jan 15 2020 03:04:42
Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083,
Charlotte, NC 28272-1083
15152103 +E-mail/PDF: creditonebknotifications@resurgent.com Jan 15 2020 03:06:18 Credit One Bank,
Attn: Bankruptcy Department, Po Box 98873, Las Vegas, NV 89193-8873
15152107 +E-mail/Text: GenesisFS@ebn.phinsolutions.com Jan 15 2020 03:08:50 Genesis Bc/Celtic Bank,
Attn: Bankruptcy, Po Box 4477, Beaverton, OR 97076-4401
15166561 E-mail/Text: msturdevant@homesavings.com Jan 15 2020 03:07:05 Home Savings Bank,
Attention: Legal Department, 275 West Federal Street, Youngstown, OH 44503
15166562 E-mail/Text: cio.bnccmail@irs.gov Jan 15 2020 03:07:20 Internal Revenue Service,
Centralized Insolvency Unit, PO Box 21126, Philadelphia, PA 19114-0326
15181120 E-mail/PDF: resurgentbknotifications@resurgent.com Jan 15 2020 03:04:54 LVNV Funding, LLC,
Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15152111 +E-mail/PDF: pa_dc_claims@navient.com Jan 15 2020 03:05:31 Navient, Attn: Bankruptcy,
Po Box 9640, Wilkes-Barre, PA 18773-9640
15177804 E-mail/Text: bnc-quantum@quantum3group.com Jan 15 2020 03:07:31
Quantum3 Group LLC as agent for, Genesis FS Card Services Inc, PO Box 788,
Kirkland, WA 98083-0788
15166569 E-mail/Text: jennifer.chacon@spservicing.com Jan 15 2020 03:08:50 SPS, PO Box 65250,
Salt Lake City, UT 84165-0250
15152116 +E-mail/PDF: gecscedi@recoverycorp.com Jan 15 2020 03:05:20 Syncb/JCI Home Design,
Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15152788 +E-mail/PDF: gecscedi@recoverycorp.com Jan 15 2020 03:04:38 Synchrony Bank,
c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
TOTAL: 13

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr The Bank of New York Mellon, successor to The Bank
15175459* American Express National Bank, c/o Becket and Lee LLP, PO Box 3001,
Malvern PA 19355-0701
15178154* American Express National Bank, c/o Becket and Lee LLP, PO Box 3001,
Malvern PA 19355-0701
15166555* +Amex, Correspondence/Bankruptcy, PO Box 981540, El Paso, TX 79998-1540
15166556* +Capital One, Attn: Bankruptcy, PO Box 30285, Salt Lake City, UT 84130-0285
15166557* +Credit One Bank, Attn: Bankruptcy Department, PO Box 98873, Las Vegas, NV 89193-8873
15166558* Dollar Bank, 3 Gateway Center, Pittsburgh, PA 15222
15166559* +First National Bank, Attn: Bankruptcy, 4140 East State Street, Hermitage, PA 16148-3401

District/off: 0315-2

User: skoz
Form ID: 149

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Total Noticed: 37

Date Rcvd: Jan 14, 2020

***** BYPASSED RECIPIENTS (continued) *****

15166560* +Genesis Bc/Celtic Bank, Attn: Bankruptcy, PO Box 4477, Beaverton, OR 97076-4401
15166563* +LendingClub, Attn: Bankruptcy, 595 Market St, Ste 200, San Francisco, CA 94105-2807
15183589* +Rebecca Vinsick, 228 Nemacolin Road, Carmichaels, PA 15320-1124
15166567* +Rebecca Vinsick, 228 Nemacolin Road, Carmichaels, PA 15320-1124
15166568* +Seterus, Inc., Attn: Bankruptcy, PO Box 1077, Hartford, CT 06143-1077
15166570* +Stepp Law Offices, Kelly A. Stepp, Esq., 64 N. Rich Hill Street, Suite 101,
Waynesburg, PA 15370-1306
15166571* +Syncb/JCI Home Design, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
TOTALS: 1, * 14, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court
immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 16, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 14, 2020 at the address(es) listed below:

David W. Raphael on behalf of Creditor Dollar Bank, FSB draphael@grenenbirsic.com,
mcupec@grenenbirsic.com
James Warmbrodt on behalf of Creditor The Bank of New York Mellon, successor to The Bank of
New York, not in its individual capacity but solely as Trustee on behalf of the holders of the
CIT Mortgage Loan Trust, 2007-1 Asset-Backed Certif bkgroup@kmllawgroup.com
Lauren Michaels on behalf of Creditor Office of Attorney General, Department of Revenue
lmichaels@attorneygeneral.gov
Matthew M. Herron on behalf of Debtor Michael D Vinsick mmh@thedebtdoctors.com,
hgs@thedebtdoctors.com;alb@thedebtdoctors.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteeewdpa.com

TOTAL: 6